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2 **IN THE SUPREME COURT OF THE STATE OF NEW MEXICO**3
4 **May 23, 2013**5 **NO. 13-8500**6 **IN THE MATTER OF THE APPROVAL OF A**
7 **COMPENSATION INITIATIVE FOR NEW MEXICO**
8 **JUDICIAL BRANCH EMPLOYEES**9 **ORDER**10 WHEREAS, the pay of judicial employees has not increased since 2008,
11 while deductions from pay have risen for contributions to retirement and health
12 care benefits, resulting in net decreases in pay that will continue in FY 2014
13 despite a scheduled one percent (1%) increase in salary;
1415 WHEREAS, the Court Executive Officers Council, Chief Judges Council
16 Budget Committee, and Chief Judges Council endorsed a proposal to have
17 judicial entities increase employee compensation two and one-half percent
18 (2.5%) from existing appropriations in FY 2014, with an increase of up to four
19 percent (4%) for certain employees in the lowest pay ranges, without requesting
20 any supplemental appropriations for payroll in FY 2014;
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2223 WHEREAS, courts were requested to document current appropriations for
24 FY 2013 and FY 2014, along with current and expected staffing and payroll
25 levels, to provide data to support the ability of courts to accomplish the
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1 compensation proposal; and

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3 WHEREAS, the Court having considered the foregoing recommendations,
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5 the FY 2013 and FY 2014 appropriations, other data, and being otherwise
6 sufficiently advised, Chief Justice Petra Jimenez Maes, Justice Richard C.
7 Bosson, Justice Edward L. Chávez, Justice Charles W. Daniels, and Justice
8 Barbara J. Vigil concurring;
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10 NOW, THEREFORE, IT IS ORDERED that all judicial entities subject
11 to the Judiciary's unified budget process shall increase the compensation of all
12 eligible employees by two and one-half percent (2.5%), provided that the
13 compensation of eligible employees of the Magistrate Courts and eligible non-
14 supervisory employees of the Supreme Court Building Commission shall be
15 increased by four percent (4%);
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18 IT IS FURTHER ORDERED that the compensation increase authorized
19 by this order is effective July 1, 2013, and may be implemented for all judicial
20 entities for the first full pay period in FY 2014, but in no event later than
21 September 1, 2013;
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23 IT IS FURTHER ORDERED that the compensation increase authorized
24 by this order may be implemented for magistrate court employees as soon as the
25 Administrative Office of the Courts can do so within existing appropriations for
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FY 2013;

IT IS FURTHER ORDERED that the Administrative Office of the Courts shall issue instructions for coordinating the scheduled one percent (1%) salary increase for FY 2014 with the implementation of the additional compensation increase authorized by this order;

IT IS FURTHER ORDERED that all non-probationary classified employees with satisfactory performance documented by a current performance evaluation rating of "meets requirements", "surpasses", or "exemplary" as well as all at-will employees are eligible for the compensation increase authorized by this order, provided that all probationary employees shall receive the compensation increase authorized by this order upon successful completion of their probationary period;

IT IS FURTHER ORDERED that the compensation increase authorized by this order shall not be implemented for judges and judicial officers whose salaries are set by statute or court rule;

IT IS FURTHER ORDERED that the compensation increase authorized by this order shall be calculated as follows:

1. Eligible employees earning at or below a one hundred percent (100%) compa ratio shall have their additional increases based

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Chief Clerk of the Supreme Court
of the State of New Mexico

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upon the one hundred percent (100%) compa ratio of their job classification pay range;

2. Eligible employees earning above one hundred percent (100%) compa ratio will have their additional increase based upon their current base pay;
3. Eligible employees whose salary is equal to or over the salary range maximum will receive the compensation increase authorized by this order in a one-time lump sum payment; and
4. The hourly rates for the personal staff of judges in the specified job classifications beginning in fiscal year 2014 shall be as follows:

A. For the one percent (1%) increase, Trial Court Administrative Assistant \$21.828 per hour; Appellate Paralegal \$21.828 per hour; Bailiff \$12.023 per hour; Bailiff Security \$12.645 per hour; Certified Court Monitor \$16.235 per hour; and Certified Court Reporter \$27.979 per hour; and

B. For the two and one-half percent (2.5%) increase that follows the one percent (1%) increase, Trial Court Administrative Assistant \$22.374 per hour; Appellate Paralegal \$22.374 per hour; Bailiff \$12.323 per hour; Bailiff Security \$12.961 per hour; Certified Court Monitor \$16.641 per hour; and Certified Court Reporter \$28.678 per hour; and

IT IS FURTHER ORDERED that, notwithstanding the intent of this order

ATTEST: A TRUE COPY

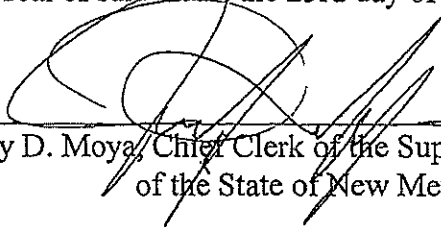
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1 to result in increased compensation for all eligible judicial employees who are
2 not judicial officers, any judicial entity that can demonstrate extraordinary
3 hardship would result from compliance with this order in whole or in part may
4 petition the Court for relief.
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7 IT IS SO ORDERED.

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9 WITNESS, Honorable Petra Jimenez Maes, Chief Justice
10 of the Supreme Court of the State of New Mexico, and
11 the seal of said Court the 23rd day of May, 2013.

12 (SEAL)

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14 _____
15 Joey D. Moya, Chief Clerk of the Supreme Court
16 of the State of New Mexico
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Joey D. Moysa

Chief Clerk of the Supreme Court
of the State of New Mexico

IN THE SUPREME COURT OF THE STATE OF NEW MEXICO

June 27, 2013

NO. 13-8500 -#2

IN THE MATTER OF THE APPLICATION OF THE
COMPENSATION INITIATIVE FOR NEW MEXICO
JUDICIAL BRANCH BAILIFFS AND SECURITY BAILIFFS

ORDER

WHEREAS, on May 23, 2013, this Court approved a two and one-half percent (2.5%) compensation increase for New Mexico Judicial Branch employees to supplement the legislatively approved one percent (1%) compensation increase for FY 2014;

WHEREAS, the May 23, 2013, order, among other things, set the hourly rates for implementing the compensation increases for at-will employees serving as personal staff to judges;

WHEREAS, the May 23, 2013, order set the one percent (1%) compensation increase for the Bailiff and Bailiff Security positions at \$12.023 per hour and \$12.645 per hour, respectively, and set the two and one-half percent (2.5%) compensation increase at \$12.323 per hour and \$12.961 per hour, respectively;

WHEREAS, some incumbents in the Bailiff and Bailiff Security job

1 classifications are currently paid at hourly rates that exceed the applicable hourly
2 rates set by this Court's May 23, 2013, order; and
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4 WHEREAS, this matter having come before the Court upon the
5 recommendation of the Chief Judges Council to authorize the legislatively
6 approved one percent (1%) increase plus the two and one-half percent (2.5%)
7 increase previously approved by this Court for incumbents in the Bailiff and
8 Bailiff Security positions whose hourly rates already exceed the hourly rates set
9 by this Court's May 23, 2013, order, the Court having considered the
10 recommendation and being otherwise sufficiently advised, Chief Justice Petra
11 Jimenez Maes, Justice Richard C. Bosson, Justice Edward L. Chávez, Justice
12 Charles W. Daniels, and Justice Barbara J. Vigil concurring;
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14 NOW, THEREFORE, IT IS ORDERED that the recommendation of the
15 Chief Judges Council is APPROVED and all judicial entities subject to the
16 Judiciary's unified budget process shall, for all incumbents in the Bailiff and
17 Bailiff Security positions who already exceed the hourly rates set forth in this
18 Court's May 23, 2013, increase such incumbents' hourly rate by two and one-
19 half percent (2.5%) after implementing the scheduled one percent (1%)
20 legislatively approved increase;
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22 IT IS FURTHER ORDERED that the compensation increase authorized
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Chief Clerk of the Supreme Court
of the State of New Mexico

by this order is effective July 1, 2013, and may be implemented for all judicial entities for the first full pay period in FY 2014, but in no event later than September 1, 2013;

IT IS FURTHER ORDERED that the Administrative Office of the Courts shall issue instructions for implementing the compensation increase authorized by this order;

IT IS FURTHER ORDERED that the need to increase the compensation of other employees in the Bailiff and Bailiff Security positions to a rate commensurate with the rates approved in this order will be addressed by future order of the Court.

IT IS SO ORDERED.

WITNESS, Honorable Petra Jimenez Maes, Chief Justice
of the Supreme Court of the State of New Mexico, and
the seal of said Court the 27th day of June, 2013.

(SEAL)



Joey D. Moya, Chief Clerk of the Supreme Court
of the State of New Mexico